

## **CANADA: NOTARIZED AFFIDAVIT REQUIREMENTS NON-BOVINAЕ PET FOODS AND TREATS – HEAT PROCESSED & SHELF-STABLE**

As of **July 1, 2015**, all heat-processed, shelf-stable pet foods and treats exported to Canada must be accompanied by a zoosanitary certificate (health certificate) endorsed by the Animal and Plant Health Inspection Service (APHIS) Veterinary Services (VS). Non-bovinae pet foods and treats from non-bovinae facilities\* that have been allowed entry into Canada on the basis of an Importer's Statement of Compliance from the Canadian importer must be certified for export by APHIS/VS as of **July 1, 2015**.

\*Non-bovinae facilities are defined as those that only export pet foods or treats to Canada that contain no bovine ingredients except for exempt ingredients: milk or other dairy, hide-derived gelatin or collagen, and tallow with a maximum level of insoluble impurities of 0.15% in weight (protein-free tallow). Bovine hide is also considered an exempt bovine ingredient – but is not generally an ingredient in dry pet foods, canned/hermetically-sealed pet foods, or pet treats.

During the initial phase of implementation of Canada's new import requirements for pet foods and treats, APHIS/VS will endorse export certificates for non-bovinae pet foods or treats manufactured by non-bovinae facilities on the basis of a **notarized affidavit from the manufacturer with additional supporting documentation, as needed**. Non-bovinae facilities that wish to continue exporting pet foods or treats to Canada after June 30, 2016, will need to be inspected and approved by APHIS/VS prior to that date. Due to the large number of facilities that will need to be inspected, interested companies are advised to seek early inspection and approval by APHIS/VS. [See information under "Note" below regarding non-bovinae facilities that wish to be approved as bovine facilities.]

**NOTE:** This document is intended to provide instructions for completion of notarized affidavits by non-bovinae facilities that have not yet been inspected and approved by APHIS/VS for the export of heat-processed, shelf-stable pet foods or treats to Canada. The products covered by the notarized affidavit should be non-bovinae pet foods or treats that contain no bovine ingredients other than exempt ingredients: milk or milk products, hide-derived gelatin or collagen, and/or tallow with a maximum level of insoluble impurities of 0.15% by weight (i.e., "protein-free" tallow). Non-bovinae facilities that wish to begin exporting pet foods or treats to Canada that contain non-exempt bovine ingredients will need to first be inspected and approved by APHIS/VS. Current non-bovinae facilities may only export or supply non-bovinae pet foods or treats while they seek approval as a bovine facility.

Following full implementation of Canada's new import requirements for pet foods and treats on July 1, 2016, all pet food facilities exporting to Canada will need to be approved by APHIS/VS and there will be no need to distinguish between "bovine" and "non-bovinae" facilities. During implementation, however, it will be necessary to maintain this distinction.

[Pet foods and treats from **bovine facilities** that are **currently approved by APHIS/VS** will continue to be certified for export by APHIS/VS on the basis of their current inspection and

approval. Under the new requirements for Canada, APHIS/VS inspections will be valid for 2 years provided a facility does not change bovine ingredients, processes, or suppliers and there are no export issues with the facility or its products.]

## **FORMAT**

**For information on the general requirements and formats of acceptable notarized affidavits to support export certificate endorsement, please see link entitled “Non-Bovinae Facilities: General Notarized Affidavit Instructions.” The information accessed through that link explains the basic format and requirements for an acceptable notarized affidavit to support export certificate endorsement.** Facilities are encouraged to begin working as soon as possible with the APHIS/VS District Office or Service Center that will be endorsing their export certificates to ensure that the endorsing office has the notarized affidavit and supporting documents (as needed) on file PRIOR to July 1, 2015. APHIS/VS will not be able to endorse export certificates on or after July 1, 2015, without the required documentation on file.

## **REQUIRED STATEMENTS AND SUPPORTING DOCUMENTATION**

This section includes the background information needed by the endorsing VS Office, as well as the certification statements that will be endorsed on the basis of the notarized affidavit. A line will be indicated where the manufacturer must provide the requested information. Instructions that would not be part of the actual notarized affidavit statements are indicated in blue, italicized text.

1. The animal-origin ingredients in the pet foods and/or pet treats to be exported to Canada or supplied for export to Canada are derived from the following species:  
*(Indicate the species for all animal origin ingredients in the products for export to Canada. If “bovine” or “bison” is listed, please indicate the actual bovine (or bison) ingredient. For example, the identified species could be “poultry, porcine, fish, bovine (dairy, hide-derived gelatin, and tallow with a maximum level of insoluble impurities of 0.15%). Tallow with a maximum level of insoluble impurities of 0.15% in weight may be listed as “protein-free tallow.” NOTE: There should be no non-exempt bovine ingredients in the products covered by the notarized affidavit. Before a non-bovine facility can include non-exempt bovine ingredients in products for export to Canada, they must be inspected and approved by APHIS/VS.)*
2. There is no U.S. origin ruminant (bovine or bison) meat-and bone meal (MBM), U.S. origin mechanically separated (MS) or mechanically deboned (MD) bovine (cattle/bison) meat, or other bovine products that might contain specified risk materials (SRMs) as defined by CFIA on the premises of the manufacturing facility *(SRMs are defined by Canada as the skull, brain, trigeminal ganglia, eyes, spinal cord and vertebral column (excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae and the wings of the sacrum), and the palatine tonsils from bovine (cattle and bison) animals aged 30 months and older and the distal ileum from bovine (cattle and bison) animals of all ages. NOTE: Although the United States is categorized as negligible risk for BSE, we slaughter*

*cattle from Canada and Mexico – two controlled BSE risk countries. Therefore, our pet foods must NOT contain any SRMs.)*

**OR**

2. There are bovine (cattle/bison) ingredients or products on the premises of the manufacturing facility that might contain specified risk materials (SRMs) as defined by CFIA, and the facility uses a dedicated line for the production of pet food for Canada to ensure that non-bovine pet foods exported to Canada do not contain and are not contaminated with SRMs. *(To be considered dedicated, no ingredients, materials or products that contain or might contain SRMs can be processed on the line. Specified risk materials as defined by Canada include: the skull, brain, trigeminal ganglia, eyes, spinal cord and vertebral column [excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae and the wings of the sacrum], and the palatine tonsils from bovine (cattle and bison) animals aged 30 months and older and the distal ileum from bovine (cattle and bison) animals of all ages.)*

**OR**

2. There are bovine (cattle/bison) ingredients or products on the premises of the manufacturing facility that might contain specified risk materials (SRMs) as defined by CFIA and the facility uses a separation/cleanout protocol based on Food and Drug Administration (FDA) recommendations to ensure that non-bovine pet foods exported to Canada do not contain and are not contaminated with SRMs. *(If this option is used, the manufacturer must provide the endorsing VS Office with a copy of the standard operating procedure [SOP] for the separation/cleanout protocol used to prevent cross-contamination between eligible and ineligible materials. This is currently required by CFIA with submission of the Non-Bovine Facility Questionnaire for facilities that are not dedicated and do not have a dedicated line – so impacted facilities should be able to provide a copy of the SOP. For additional guidance on FDA separation/cleanout protocols, please see link entitled “Non-Bovine Facilities: Guidance on Separation/Cleanout Procedures “. Specified risk materials as defined by Canada include: the skull, brain, trigeminal ganglia, eyes, spinal cord and vertebral column [excluding the vertebrae of the tail, the transverse processes of the thoracic and lumbar vertebrae and the wings of the sacrum], and the palatine tonsils from bovine (cattle and bison) animals aged 30 months and older and the distal ileum from bovine (cattle and bison) animals of all ages.)*
3. The pet foods or pet treats were processed in a facility, \_\_\_\_\_, *(include the name and address of the manufacturing facility)* located in the USA and authorized by the official competent veterinary authority in the United States to manufacture pet food containing animal products and by-products. *(This statement can be made by pet food facilities in good standing with the FDA, since the FDA is the competent authority over pet food facilities and pet food production in the United States.)*
4. The pet foods and/or pet treats in the shipment may include the following: pet foods and/or pet treats with no bovine-origin ingredients. *(Products may contain exempt bovine*

*ingredients - milk or milk products, hide-derived gelatin or collagen, and tallow with a maximum level of insoluble impurities of 0.15% - and still fall under this category. The actual certificate includes the option for “pet foods and/or pet treats with bovine-origin ingredients [“bovine” as used in the certificate includes “bison]. If non-bovinae facilities want to export or supply pet foods for export to Canada that contain bovinae (cattle/bison) ingredients, they will need to be inspected and approved by APHIS first.)*

5. In the case of pet foods or pet treats containing tallow, the tallow used is protein-free with a maximum level of insoluble impurities of 0.15% by weight. *(Include this statement ONLY if tallow is one of the ingredients in the pet foods to be exported or supplied for export to Canada. If so, statement #1 should have included bovine tallow. \*\*\*If some or all of the pet foods and/or treats covered by this affidavit contain protein-free tallow, the manufacturer must provide supporting documentation to the endorsing VS Office - either lab results showing that the tallow used in the facility for production of pet foods or treats to Canada is being tested to ensure it meets the maximum 0.15% insoluble impurities requirement OR documentation from the supplier that the tallow supplied to the facility has been tested and meets this requirement. Facilities should be able to provide an example of lab results for the tallow they are using in their facility.)*
6. The pet foods and/or pet treats were sufficiently heat processed to ensure the destruction of pathogens that represent a risk to public or animal health. *(Pet foods/treats that have been heat-processed to at least a minimum internal temperature of 70 degrees C AND which are shelf-stable will meet this requirement. Canned and dry extruded pet foods will meet this requirement, as will most baked pet treats. The endorsing VS Office may ask for additional information on actual processing parameters.)*
7. Precautions were taken to prevent cross-contamination of the finished products with any animal origin product or by-product derived from animals of a lesser zoosanitary status.

**NOTE 1:** The actual certificate contains a number of statements pertaining to “pet foods or pet treats containing bovine meat, offal, or any bovine ingredients other than exempt ingredients.” Those statements are not included here since the notarized affidavits are only intended to cover non-bovinae pet foods from non-bovinae facilities that have not yet been inspected and approved for Canada by APHIS/VS. These facilities should not export or supply for export, bovinae-based pet foods or treats until they have been inspected and approved by APHIS/VS.

**NOTE 2:** The term “bovinae” has been used for the affidavit although the certificate statements will use the term “bovine” CFIA includes bison, as well as cattle, in their definition of “bovine.” To avoid confusion during the implementation period, we will continue to use the terms “bovinae” and “non-bovinae.”